



**OSTRAVSKÁ UNIVERZITA**  
PŘÍRODOVĚDECKÁ FAKULTA

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# Disciplinary Regulations for the Students of the Faculty of Science of the University of Ostrava

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Approved by the Academic Senate of the Faculty of Science: 27 November 2017  
Approved by the Academic Senate of the University of Ostrava: 18 December 2017  
Valid from: 18 December 2017  
Effective from: 18 December 2017

## **Article 1**

### **Introductory provisions**

1. The Disciplinary Regulations for the Students of the Faculty of Science of the University of Ostrava (hereinafter "FS") provide for the requisites of disciplinary offences, disciplinary procedures and sanctions imposed in connection therewith against the students of the Faculty of Science of the University of Ostrava in all Bachelor, Master and Doctoral degree programmes offered at the FS.
2. The resolution of disciplinary offences is subject to Act No. 111/1998 Sb. on higher education and on amendments and additions to other acts (the Higher Education Act), as subsequently amended (hereinafter the "Act") and Act No. 500/2004 Sb. administrative regulations, as amended (hereinafter "Administrative Regulations") and Disciplinary Regulations for students of the University of Ostrava, which is an internal regulation of the UO (hereinafter "Disciplinary Regulations of the UO").
3. The Disciplinary Regulations of the FS are in compliance with the Disciplinary Resolutions of the UO.

## **Article 2**

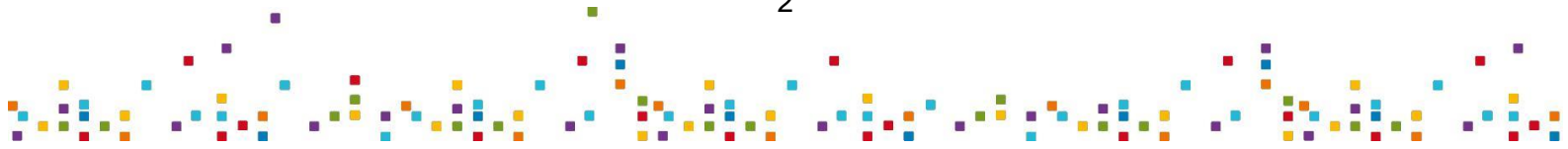
### **Disciplinary offence**

1. A disciplinary offence is culpable breach of duties stipulated by legal provisions of internal regulations of the FS UO and UO, particularly
  - a) conduct damaging the reputation of the UO. The assessment of complaints in this respect may request an opinion of the Ethics Committee of the UO;
  - b) conduct that arouses outrage or offends another member of the academic community or an employee of the UO;
  - c) deliberate damage to the equipment of the UO;
  - d) dishonest conduct in connection with the studies or scientific and research, development and innovation, artistic or other creative activities, apart from dishonest conduct as a result of which the student was admitted to study;
  - e) failure to respect the provision of the Section 63 Subsections 2 and 3 a), c) and d) of the Act.

## **Article 3**

### **Disciplinary Committee of the Faculty of Science**

1. The Disciplinary Committee of the Faculty of Science is a self-government academic body of the Faculty of Science.
2. The Disciplinary Committee of the FS discusses disciplinary offences of students enrolled at the FS and presents proposals for decisions to be taken by the Dean.
3. Members and substitute members of the Disciplinary Committee of the FS are appointed and dismissed by the Dean from among the members of the academic community of the FS following the prior consent of the Academic Senate of the FS.
4. The Disciplinary Committee of the FS consists of six members, one half of whom are students.
5. One academic and one student are substitute members.
6. When establishing the Disciplinary Committee of the FS, the Dean shall take care to respect the principle of continuity of its work.
7. The term of office of the Disciplinary Committee members shall be two years.
8. If a Disciplinary Committee member ceases to be a member in the course of their term of office, a new member shall only be appointed by the Dean for the remaining duration of the respective term of office.
9. The first meeting of the Disciplinary Committee of the FS shall be convened by the Dean within 30 days after appointing its member. The Chairperson of the Disciplinary Committee is elected at the this first meeting. The Chairperson, being a member of the Committee, is elected and dismissed by the members of the Disciplinary Committee of the FS.



## **Article 4**

### **Sessions of the Disciplinary Committee of the Faculty of Science**

1. Sessions of the Disciplinary Committee of the FS are convened by the Chairperson. If any of the members of the Committee is prevented from participating in the session, the Chairperson shall invite a substitute member to the session in order to ensure parity of representation. The invited substitute member has the same rights and obligations as the other members of the Disciplinary Committee.
2. The Chairperson is responsible for the proper conduct of the sessions of the Disciplinary Committee of the FS.
3. The Disciplinary Committee of the FS conducts secret ballot to decide on:
  - a) culpability of an offence committed and its extent;
  - b) sanctions to be imposed.
4. Sessions of the Disciplinary Committee are closed to public. They are conducted orally and written minutes are taken of the course.
5. These minutes must contain the Disciplinary Committee's proposal for the decision to be taken by the Dean.
6. A quorum shall exist at the session of the Disciplinary Committee of the FS if a majority of its members is present. The proposal for the decision to be taken by the Dean is accepted if a majority of present members speak in its favour.

## **Article 5**

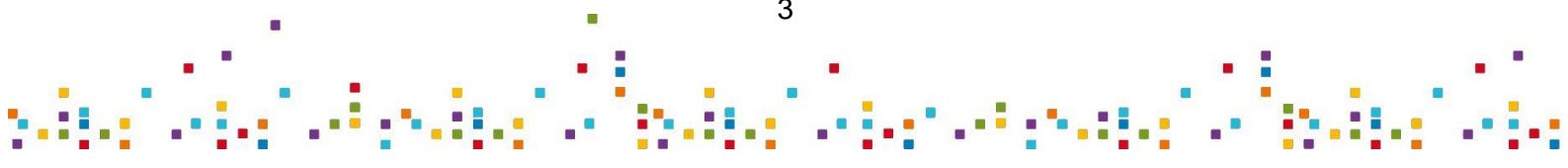
### **Commencement of disciplinary proceedings**

1. A proposal for the commencement of disciplinary proceeding is submitted to the Dean along with proposed evidence.
2. The Dean presents a proposal to the Disciplinary Committee of the FS for the discussion of the disciplinary offence if a student is deemed to have violated the obligations laid down in Article 2 of these Disciplinary Regulations.
3. The Dean's proposal must be submitted in a written and paper form. It must include a description of the act, proposed evidence it relies on, and a rationale as to why the act is considered a disciplinary offence.
4. The disciplinary proceedings are commenced on the date on which a notification of the commencement of disciplinary proceedings has been delivered to the student along with a copy of the proposal as per Paragraph 2.
5. The only participant in the disciplinary proceedings is the student in question. If the student is enrolled at more faculties of the UO, the disciplinary proceedings take place at the faculty affected by the student's breach of obligations. If this cannot be determined, the disciplinary proceedings take place at the faculty the Dean of which has been authorized in writing by the Rector to submitting a proposal to the Disciplinary Committee of the Faculty.
6. The student may choose to be represented by an appointed agent or curator. An appointed agent, having presented a written power of attorney issued by the student in the presence of the Disciplinary Committee, enjoys the rights laid down in Article 6, Paragraph 3. A curator, having presented a relevant final court decision in the presence of the Disciplinary Committee, has the rights set out in Article 6, Paragraph 3.

## **Article 6**

### **Discussion of offences by the Disciplinary Committee of the Faculty of Science**

1. Immediately after the commencement of the disciplinary proceedings, the Chairperson of the Disciplinary Committee convenes a meeting of the Committee.
2. The student subject to the disciplinary proceedings is invited to participate in the meeting of the Disciplinary Committee at which the disciplinary offence is to be discussed.



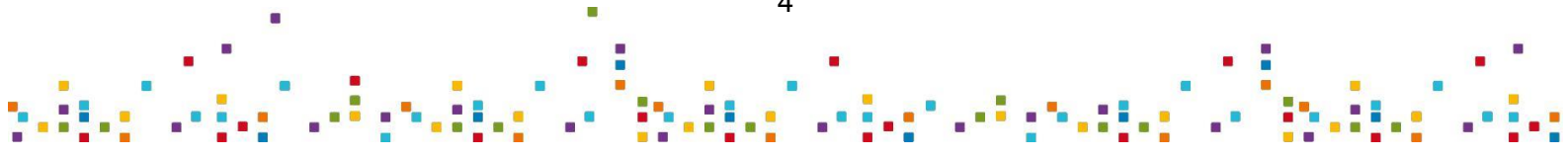
3. The student must be present (or represented according to Article 5, Paragraph 6) at the meeting of the Disciplinary Committee at which the proposed disciplinary offence is discussed. At the beginning of the meeting, the disciplinary offence proposed to discussion is communicated to the student. The student is entitled to give a statement in relation to the matter under discussion, propose witnesses, submit evidence in their own favour, view written supporting documentation and the minutes of the meeting (with the exception of the record of voting) and make extracts from them.
4. The disciplinary proceedings may only take place in the absence of the student if the student or their appointed agent or curator fails to appear at the proceedings without proper written or oral apology (recorded in the minutes at the latest by the beginning of the meeting) although being duly invited.
5. A disciplinary offence cannot be discussed if a period of one year has elapsed since the offence was committed by the student or since a final conviction was issued in the criminal matter. The period during which the person in question was not a student is not counted as a part of this one-year period.
6. When imposing sanctions, account must be taken of the nature of the conduct constituting the disciplinary offence, circumstances under which the offence was committed, the consequences it caused, the degree of culpability, the student's previous behaviour, and the intention shown by the student as for the correction of the consequences.
7. If it becomes clear that the student's conduct did not constitute a disciplinary offence, or it is impossible to prove that the offence was committed by the student in question, or the person in question has ceased to be a student, the disciplinary proceedings are terminated. If the student has interrupted their studies, the proceedings are reinitiated after the student resumes their studies.
8. The following sanctions may be imposed for a disciplinary offence:
  - a) a formal caution;
  - b) suspended expulsion from studies, including the specification of the duration of the probationary period and conditions of the probation;
  - c) expulsion from studies.
9. One sanction only may be imposed for a disciplinary offence.
10. If disciplinary proceedings are commenced against a student, the procedure in the matter of the scholarship shall be as described in current Regulations on Scholarships at the University of Ostrava.
11. The sanction may be waived if the very discussion of the disciplinary offence leads to the rectification of the offence.
12. A student may only be expelled from studies if the disciplinary offence was committed deliberately.
13. In the case of suspended expulsion from studies, the duration of the probationary period as well as the conditions must be stipulated according to the gravity of the offence. The maximum probationary period is two years. If, in the case of suspended expulsion, the student complies with the conditions of probation within the probationary period, the Dean rules that the conditions have been fulfilled and dismisses the sanction of expulsion; if the student fails to comply with the conditions of the probation at any point during the probationary period, the Dean rules that the sanction of expulsion is to be applied. If the Dean makes no decision as above within two months following the termination of the probationary period as per the previous sentence, the student is deemed to have complied with the conditions of the probation.
14. The Disciplinary Committee of the Faculty of Science acts without delay in order to decide as for the proposal for the decision to be taken by the Dean, namely usually within 30 days following the first meeting of the Committee concerning the disciplinary offence under discussion.
15. Minutes must be taken on the course of the disciplinary proceedings by the Disciplinary Committee of the Faculty of Science. The minutes must contain the Proposal of the Disciplinary Committee for the decision to be taken by the Dean.

## **Article 7**

### **Decisions in disciplinary proceedings at the first instance**

1. Decisions in disciplinary proceedings at the first instance are issued by the Dean, taking into consideration the proposal submitted by the Disciplinary Committee of the Faculty of Science.

- 2. The Dean may not impose a stricter sanction than that proposed by the Disciplinary Committee.
- 3. The Dean may:



- a) impose the sanction proposed by the Committee;
  - b) impose less severe sanction;
  - c) waive the sanction.
4. Before issuing a decision in a particular case, the student must be given an opportunity to make a statement regarding the documentation on which the decision is made.
  5. The decision is issued in a written form. The decision includes an operative part, reasons for the decision, and instructions. The operative part of the decision indicates the name, surname, birth of date, permanent residence, and degree programme of the participant in the proceedings (student), the subject of the proceedings and the solution of the issue forming the subject of the proceedings:
    - a) information on the disciplinary offence and a statement of the sanction imposed;
    - b) information on the disciplinary offence and a statement of the decision to waive the sanction;
    - c) a statement of the termination of the disciplinary offence.
  6. If the student has been found guilty, the Dean subsequently imposes on the student the obligation to pay the costs of the proceedings.
  7. The instructions state whether it is possible to appeal against the decision, within what period, the date on which this period commences, the administrative body that decides on the appeal, and the administrative body to which the appeal is submitted.
  8. The decision in the matter of the disciplinary offence is held in the student's file.

## **Article 8**

### **Appeal**

1. The student is entitled to file an appeal against the Dean's decision if they did not waive their right to appeal either in writing or orally, as recorded in the minutes.
2. Having withdrawn the appeal, the student may not re-file it. If the student has withdrawn the appeal, the appeal proceedings are terminated on the date of the withdrawal of the appeal; the day following the termination of the proceedings, the contested decision becomes final.
3. The appeal is submitted to the Dean who has issued the contested decision. The Administrative Body of Appeal is the Rector.
4. A timely and admissible appeal has suspensory effect. Due to suspensory effect the Dean's decision does not take legal effect, does not become enforceable and is considered invalid.
5. An appeal may be brought against the operative part of the decision, an individual statement or ancillary provisions. An appeal against the reasons for the decision is inadmissible. In the appeal, the student states their name, surname, date of birth, permanent residence, and the degree programme. It must be apparent from the appeal which decision the appeal has been brought against, the extent to which it contests the decision, in what it is contradictory to legal provisions or Internal regulations of the University of Ostrava, or in what the decision itself or the proceedings leading to the decision are considered wrong.
6. New facts and new evidence, as referred to in the appeal or during the appeal proceedings, are only taken into account if these could not be presented earlier by the student. Where the student objects that they were not allowed to take a specific action in the proceedings at the first instance, this action must be taken together with the appeal.
7. The period of appeal is 30 days following the notification of the decision.
8. The student may request a waiver of the time limit for missing the appeal if they prove that serious reasons have occurred as an obstacle without any fault on their part. The request for a waiver of the time limit for appeal may be submitted within 15 days of the date on which the obstacle preventing the student from filing an appeal ceased to exist.
9. The Dean completes the proceedings according to the circumstances.
10. If the Dean finds out that one of the reasons for the termination of the proceedings stipulated in Paragraph 66, Section 1a), e), f) or g) of the Code of Administrative Procedure or Paragraph 66, Section 2 of the Code of Administrative Procedure has occurred, they terminate the proceedings, unless the decision on the appeal is of importance for the compensation of damage.



11. Taking into account new facts, the Dean may annul or amend the decision provided that it fully satisfies the appeal.
12. If the Dean finds no grounds for the annulment or modification of the decision according to Section 11, they forward the file with their opinion to the Administrative Body of Appeal within 30 days of the date of appeal delivery. If the appeal is deemed inadmissible or late, the Dean forwards the file to the Administrative Body of Appeal within 10 days; the Dean's statement shall be limited to the reasons decisive for the assessment of the delay or inadmissibility of the appeal.

### **Article 9**

#### **Decisions in disciplinary proceedings at the second instance**

1. The decision-making process in the disciplinary proceedings at the second instance is stipulated in Article 9 of the Disciplinary Regulations for Students of the University of Ostrava.

### **Article 10**

#### **Temporary and concluding provisions**

1. The Disciplinary Regulations for students of the Faculty of Science issued on 21 March 2016 are revoked.
2. The proceedings commenced before the entry into force of these Disciplinary Regulations shall be completed according to the existing Disciplinary Regulations for Students of the Faculty of Science of the University of Ostrava issued on 21 March 2016.
3. These Disciplinary Regulations were approved by the Academic Senate of the FS UO on 27 November 2017.
4. These Disciplinary Regulations were approved by the Academic Senate of the UO on 18 December 2017 in accordance with Section 9, Subsection 1 b) of the Act and they become valid on the date on which they are approved.

doc. RNDr. Jan Hradecký, Ph.D.,

Dean of the FS UO